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ORDER FOR SUPPLIES OR SERVICES SCHEDULE - CONTINUATION

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

PAGE NO

2

DATE OF ORDER CONTRACT NO. ORDER NO. EP-W-17-003 0005 06/08/2017 ITEM NO. SUPPLIES/SERVICES QUANTITY UNIT UNIT **AMOUNT** QUANTITY ACCEPTED ORDERED PRICE (d) (f) (a) (e) (c) (g) subject to the Limitation of Cost and Limitation of Funds clauses. The contractor shall perform services in accordance with the attached Statement of Work and the contractor's proposal dated 03/20/2017 in the amount of \$ 161,305.00. The task order base period of performance is 6/08/2017 through 6/07/2018. The Government may extend the period of performance of this task order for up to four additional years not to exceed 6/07/2022 for the amounts specified in the contractor's proposal dated 03/20/2017. The task order ceiling is \$161,305.00, which the contractor is not authorized to exceed. The contractor exceeds this amount at its own risk. The task order is incrementally funded in the amount of \$100,000.00. TOCOR: Leigh DeHaven Admin Office: SRRPOD US Environmental Protection Agency William Jefferson Clinton Building 1200 Pennsylvania Avenue, N. W. Mail Code: 3805R Washington DC 20460 Period of Performance: 06/08/2017 to 06/07/2018 0001 Task Order 0005 Base Period Ceiling: \$161,305.00 New Task Order: Management and Support for the NCP Product Schedule- Subpart J Delivery: 02/10/2017 Accounting Info: 17-H-D3R-303D91-2505-ZQ00-17D3R17007-0 01 BFY: 17 Fund: H Budget Org: D3R Program (PRC): 303D91 Budget (BOC): 2505 Job #: ZQ00 DCN - Line ID: 17D3R17007-001 Funding Flag: Partial Continued ... \$0.00 TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

ORDER FOR SUPPLIES OR SERVICES SCHEDULE - CONTINUATION

PAGE NO 3

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER CONTRACT NO. EP-W-17-003 06/08/2017

ORDER NO. 0005

ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT	AMOUNT	QUANTITY
(a)	(b)	ORDERED (c)	(d)	PRICE (e)	(f)	ACCEPTED (g)
	Funded: \$0.00			10 B		355
0002	Task Order 0005 Option Period 01 Ceiling: \$ 167,259.00 Funding:\$ 0.00 (Option Line Item)				164,259.00	
0003	Task Order 0005 Option Period 02 Ceiling: \$ 180,408.00 Funding:\$ 0.00 (Option Line Item)				180,408.00	
0004	Task Order 0005 Option Period 03 Ceiling: \$ 180,607.00 Funding:\$ 0.00 (Option Line Item)				180,607.00	
0005	Task Order 0005 Option Period 04 Ceiling: \$ 180,382.00 Funding:\$ 0.00 (Option Line Item)				180,382.00	
	TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))				\$705,656.00	

OFFICE OF EMERGENCY MANAGEMENT REGULATION, EVALUATION AND TECHNICAL SUPPORT

TASK ORDER: EP-W-17-003/0005

TASK ORDER TITLE: Management and Support for the NCP Product Schedule – Subpart J

STATEMENT OF WORK

I. BACKGROUND

The U.S. Environmental Protection Agency's (EPA) Office of Emergency Management (OEM) Regulations Implementation Division (RID), is responsible for maintaining the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) Product Schedule, as required by the Clean Water Act, the Oil Pollution Act (OPA 90) and the NCP.

Subpart J is a section of the NCP that stipulates the criteria for listing and managing the use of dispersants and other chemical and biological agents used to mitigate oil spills. The NCP Product Schedule was the result of a requirement from section 311 (d) (2) of the Clean Water Act and Section4201 (a)(G) of the Oil Pollution Act of 1990, which requires the President to prepare "a schedule of dispersants, other chemicals, and other spill migrating devices and substances that may be authorized for use on oil discharges..." EPA is solely responsible for preparing and maintaining the NCP Product Schedule.

If a product owner and/or manufacturer or an authorized representative wishes to list a product on the Schedule, they must submit required information noted in 40 CFR 300.915. Specific toxicity and effectiveness test protocols are found in Appendix C to Part 300 of the NCP (40 CFR 300.920). The Subpart J data requirements are designed to provide sufficient information to Federal On-Scene Coordinators (FOSCs) and Regional Response Teams (RRTs) to determine whether and what quantities a product may be used to control an oil discharge. After receipt of a product application package, EPA's NCP Product Schedule Manager and the contractor conduct a review of the product data package to confirm that the required information is complete and valid. The contractor should have technical knowledge of the testing protocols in Appendix C of Subpart J to be able to identify errors in application packages that may be made by labs. They should also have technical understanding and be able to interpret toxicity and effectiveness testing requirements and results. EPA informs the submitter, in writing within 60 days after receipt of complete product application data of its decision on adding the product to the Schedule or sending comments requesting a revised application. Additional information or clarifications may be requested by EPA [40 CFR 300.920 (a) (2)].

When a new product is listed, product data is entered on the NCP Product Schedule and the technical information is added to the Technical Notebook. The Product Schedule and Technical Notebook are updated and maintained on the EPA Subpart J website at http://www2.epa.gov/emergency-response/national-contingency-plan-subpart-j. Product information can be easily accessed by OSCs, RRTs and the general public. The Product Schedule and the Technical Notebook may also occasionally need to be altered with updated manufacturer contact information.

A new Proposed Subpart J Rule was posted on the Federal Register for public comment and the public comment period closed on April 22, 2015. After the EPA addresses all of the comments, then updates

and revised the rule language, the Final Subpart J Rule will be codified. Product data requirements and testing protocols will change for all product categories. Current manufacturers will have to retest their products using updated testing protocols and data requirements to remain listed on the Schedule. The current Subpart J rule remains in effect until the proposed rule is finalized and published in the Federal Register. Currently, EPA plans to publish and finalize the new Subpart J Rule in late 2018. At that time of this transition, the contractor shall begin reviewing all new and existing products with the new data and test protocol requirements as they are resubmitted by the manufacturer in accordance with the new Final Subpart J Rule.

II. SCOPE OF WORK

The contractor shall provide support for the management for the National Contingency Plan-Subpart J Product Schedule under 40 CFR 900.910 in accordance with the statement of work. Support under this Task Order shall include technical and analytical review of new product application packages per Subpart J; re-review of product application packages, as needed; evaluation and reporting technical product data that is missing or not clearly stated in product applications; updating NCP Product Schedule and Technical Notebook on Subpart J website; retrieval and process inquiries from the NCP Product Schedule Hotline, preparing outreach and communication materials; preparing draft technical meeting summaries; preparing background information for papers and presentations given at conferences, training materials, workshops, and meetings regarding Subpart J, and implementation outreach activities.

Work under this Task Order aligns with the following Task Areas of the Contract Statement of Work: Task Area 1 Technical and Analytical Support, Task Area 2 Regulatory Support, Task Area 3 Meeting and Conference Support, and Task Area 5 Communications and Outreach Support.

III. PERIOD OF PERFORMANCE

The period of performance for the Base Period shall be 6/08/2017 through 6/07/2018.

The Government has the option to extend the effective period of this task order for <u>four</u> additional periods. Prior to the expiration of the effective task order period of performance, the Government, without prior written notification, may exercise this option by issuing a contract modification. The period of performance for the Task Order Option Periods are defined below:

	From:	To:
Base Period	6/08/2017	6/07/2018
Option Period I	6/08/2018	6/07/2019
Option Period II	6/08/2019	6/07/2020
Option Period III	6/08/2020	6/07/2021
Option Period IV	6/08/2021	6/07/2022

IV. TASKS

Task 1: Technical and Analytical Support

Subtask 1: National Contingency Plan Subpart J – Product Application Review Process

- The contractor shall provide technical and analytical support and complete evaluation of manufacturer product submissions for possible Product Schedule listing*. The contractor shall review product submittals in a timely and accurate manor. Evaluations include technical review of toxicity and effective test data, physical and chemical data, ingredients of products and their application information that need to be examined (or provided if missing from original application) before listing a product. At least 85% the submittals may require more than one evaluation as manufacturer supplies further required information during the listing process (historically, 2- 5 reviews may occur for a single product before a product is listed).
 - * Subpart J product applications contain Confidential Business Information (CBI). The contractor shall take Subpart J CBI training to review and maintain CBI files in the proper manner at their office in a secure location. The contractor shall be responsible for moving Subpart J CBI files from current contractor location to a secure location (file should be stored behind a locked door and in locked file cabinets) if applicable. These files are also used to research answers for NCP Hotline questions and requests.

Subtask 2: NCP Information Line Support

The contractor shall retrieve and process designated Product Schedule inquiries from the Information Line. The information line is not a staffed hotline, but a voicemail service maintained by EPA. The voicemail service should be checked once every business day by COB. All responses to voicemails shall state that the service is being provided by a contractor not EPA. The contractor shall screen these inquiries on a daily basis, and address routine calls directly with the person requesting the information. The contractor should be able to answer technical questions regarding toxicity and effectiveness testing protocols in Subpart J and Appendix C. An electronic package of listing information including the Subpart J regulation and Appendix C, a list of labs with Subpart J experience and Subpart J related fact sheets may be distributed to caller to assist them in listing their new product. The contractor shall inform the TOCOR of any inquiries that require an interpretation of EPA policy as the request comes in but no later than the next business day. Technical requests and their responses shall be reported to the TOCOR once a month in the monthly report. Contractor will keep a daily log of calls to include the following: Info Line check date, Number of calls, Caller POC Information, Call topic and Action. The NCP Information Line Phone log should be included in the Task Order monthly report. Contractor should expect 18 calls per month for the base year and 25 or more calls per month toward the end of the second year in conjunction with the release of the new final Subpart J Rule in 2018.

Subtask 3: NCP Product Schedule Confidential Business File Management

Subpart J Product Files at EPA and Contractor location shall be maintained under lock and key
and only Confidential Business Information (CBI) Trained Employees shall have access to the CBI
portion of the files. An additional task includes having the contractor come to label files under
EPA Archiving procedures and numbering procedures. File reviews may also be conducted by
the contractor at EPA.

Deliverables:

Actual due dates are approximate and may change as agreed upon by TOCOR and the contractor. The number of product application reviews is an estimate. After the new Final Subpart J Rule is finalized

(tentatively, in late 2018) the number of product reviews in Task 1 will increase to an estimated 28 per year.

Task 1: Technical and Analytical Support	Due Date	Est number per
		year – Base year
Subtask 1: Subpart J Product Application	5 Business days after receipt of	18
Evaluations	product application package	
Subtask 2: Information Line Call Summary	Include Summary in Monthly Task	12
	Order Report	

Task 2: Regulatory Support - ICR for currently existing Subpart J

Subtask 1: Information Collection Request Updates
 The contractor shall assist in updating Information Collection Request (ICR for existing Subpart J rule). This task does not coincide with ICR for Subpart J rulemaking, but rather the ICR that has been put in place for the program after a final rule is promulgated. Surveys and statistical analysis may be utilized to update ICR.

Deliverables:

Task 2: Regulatory Support - ICR	Due Date	Est number per
		year – Base year
Subtask 1: Assistance with Subpart J ICR renewal	TBD	ICR is revised every
for existing regulation		3 years (next ICR
		due date is in 2019)

Task 3: Meeting and Conference Support/Logistics

- The contractor shall prepare background information for presentations and papers given at conferences, workshops, and meetings regarding Subpart J implementation outreach activities.
- The contractor shall prepare draft technical summaries of meetings for TOCOR. The contractor shall provide technical summaries of this information to the TOCOR within 7 days of attendance, for review and approval.

Deliverables:

Actual due dates are to be determined and may change as agreed upon by TOCOR and the contractor.

Task 3: Meeting and Conference Support	Due Date	Est. number per year – Base year
Background information for presentation	TBD	3
Draft Technical Summaries of Meetings	TBD	2

Task 4: Training Support

The contractor shall provide technical support for training, operations and technical workshops. This includes technical, and OSC Academy course support and related training and mandatory training requirements of EPA Order 3500.1 relating to OEM's 40 CFR part 112 inspector training and all other training programs relating to the implementation of the 40 CFR part 112 regulation and other oil program related functions.

Tasks to be performed under this task area may include, but are not limited to the following:

- Provide assistance for training on Subpart J
- Prepare, update and maintain attendee registration and mailing lists.
- Provide logistical arrangements for training sessions including identify potential meeting locations and facilities, secure, reserve and manage usage of meeting space at facility selected by EPA, and identify and block hotel accommodations upon direction by EPA.
- Prepare and update training outreach materials such as: agenda, manuals, brochures and handouts in accordance with Agency and Federal guidance.
- Develop and update training and exercise materials such as curriculum and how-to-manuals, multi-media presentation materials, instructor(s) materials, participant materials (including manuals, workbook, etc.) slides and overheads in accordance with Agency and Federal guidance.
- Provide training tools such as audio visual equipment and computers for hands-on-sessions.

Deliverables:

Task 4: Training Support	Due Date	Est. number per
		year – Base year
Provide Background information for presentations	TBD	1-2
Provide Manuals, CDs, etc. for OSC Academy or other	TBD	1-2
training		
Draft PowerPoint Presentation	TBD	1

Task 5: Communication and Outreach Support: Outreach/Fact Sheets

- The contractor shall collect existing technical background information to support EPA in the development of Subpart J related outreach information for regulated community and other interested parties, such as fact sheets (1-4 pages) and pamphlets/brochures (3-4 pages). This information will be based on the Subpart J final rule for the dispersant effectiveness test, bioremediation efficacy protocol, sorbent certification statement, and Regional Response Teams product preauthorization plans.
- The contractor shall prepare draft guidance documents as directed by TOCOR, the guidance documents may expand upon preamble discussion and other currently available Subpart J materials. The guidance documents will be made available to the public after Agency review through OEM website and distribution to various trade associations.
- With new Final Subpart J rule release, current product and sorbent manufacturers, labs and RRTs shall be updated on rule changes through communication or outreach materials.
- The contractor shall maintain Subpart J laboratory list for manufacturers update only as needed.
- The contractor shall maintain Sorbent list update only as needed.

Deliverables:

Task 5: Communication and Outreach Support	Due Date	Est. number per
		year – Base year
Fact Sheet/Brochure on changes in new Subpart J Rule	TBD	2
data requirements for current manufacturers		
Information for Labs on test oil procurement	TBD	1

Task 6: Web Communications Support

Subtask 1: Product Schedule and Technical Notebook Updates

The contractor shall update Product Schedule and Technical Notebook for Subpart J Website Pages. When a new product is listed on the Schedule, the product data is entered on the NCP Product Schedule and the Technical Notebook. These documents are updated and maintained on the EPA Subpart J website (see http://www2.epa.gov/emergency-response/national-contingency-plan-subpart-i). The Product Schedule and Technical Notebook may also be altered to update manufacturer contact information.

After the Final Subpart j is promulgated (tentatively in 2018), a sorbent list may need to be developed on the Subpart J website.

Subtask 2: EPA Website Updates

The contractor shall update other Subpart J information on the EPA website, as needed

Deliverables:

Actual due dates are approximate and may change as agreed upon by TOCOR and the contractor and the actual number of product listing and changes. Please note that the number of product listings on the website may increase after the Final Subpart J rule is promulgated.

Task 6: Web Communication Support	Due Date	Est. number per
		year – Base year
Subtask 1: Updating Product Schedule and	4 Business days after EPA TOCOR	11
Technical Notebook webpages for new product	notifies contractor that a new	
listing	product is being listed on the	
	Schedule	
Subtask 2: Other Subpart J webpage updates	As needed	2

Task 7: Development of Quality Assurance Plan for Subpart J deliverables (Base year only)

Performance under this task order requires the contractor to prepare a Quality Assurance Project Plan (QAPP). The contractor shall submit a QAPP in accordance with *EPA Requirements for Quality Assurance Project Plans (QA/R-5)* found here: http://www.epa.gov/QUALITY/qs-docs/r5-final.pdf. Following Task Order award, the contractor's QAPP shall be approved by the TOCOR and the Quality Assurance Manager. Following approval of the contractor's QAPP, the contractor shall perform all tasks under this task order in accordance with the quality standards established in the QAPP.

V. POINT OF CONTACT

Leigh DeHaven: Phone: (202)564-1974; Email: DeHaven.Leigh@epa.gov

VI. TERMS AND CONDITIONS

The following additional terms and conditions are requirements of this task order:

TECHNICAL DIRECTION

Technical Direction

In accordance with contract clause EPAAR 1552.237-71—Technical Direction, only the Task Order Contracting Officer Representative (TOCOR) and Contracting Officer (CO) are authorized to provide technical direction during performance of this task order. Technical direction is binding on the contractor.

Technical direction includes:

- (1) Instruction to the contractor that approves approaches, solutions, designs, or refinements; fills in details; completes the general description of work; shifts emphasis among work areas or tasks; and
- (2) Evaluation and acceptance of reports or other deliverables.

Technical direction must be within the scope of the contract and any task order there under. The TOCOR does not have the authority to issue technical direction which:

- (1) Requires additional work outside the scope of the contract or task order;
- (2) Constitutes a change as defined in the "Changes" clause;
- (3) Causes an increase or decrease in the estimated cost of the contract or task order;
- (4) Alters the period of performance of the contract or task order; or
- (5) Changes any of the other express terms or conditions of the contract or task order.

If, in the contractor's opinion, any instruction or direction falls within any of the categories defined in paragraph (c) of the Technical Direction clause, the contractor shall not proceed but shall notify the CO in writing within 3 days after receiving it and shall request that the CO take appropriate action.

Technical Communication

Agency employees (other than the TOCOR or CO) such as a "technical lead", may engage in technical communication with contractor employees, but are not authorized to give technical direction. Technical communication is the informal exchange of information between Federal employees and contractors. Such communications include information exchanged on a broad range of topics such as, but not limited to: scientific information, research information or information technology. Technical communication is more general in nature than technical direction; it does not direct the contractor and is not binding on the contractor.

GOVERNMENT PRINTING

Performance under this task order calls for printing or duplication that exceeds the maximum limitations described in EPAAR 1552.208-70—Printing. Any printing or duplication called for under this task order in excess of those limits must be performed by EPA's Print Shop or by the Government Printing Office

(GPO). The contractor shall coordinate with the Task Order Contracting Officer's Representative (TOCOR) on all printing or duplication to be completed by EPA's Print Shop or the GPO.

TRAVEL

Performance under this task order may require travel. The contractor shall conduct local and Continental United States (CONUS) travel in accordance with GSA's Federal Travel Regulation found here: www.gsa.gov/ftr. The contractor shall conduct Outside the Continental United States (OCONUS) travel in accordance with the Department of Defense Joint Travel Regulations found here: http://perdiem.hqda.pentagon.mil/perdiem/trvlregs.html. The contractor shall adhere to the requirements of Federal Acquisition Regulation (FAR) Subpart 31.2 in incurring allowable travel costs under this task order.

EPA GREEN MEETINGS AND CONFERENCES (EPAAR 1552.223-71) (MAY 2007)

- (a) The mission of the EPA is to protect human health and the environment. We expect that all Agency meetings and conferences will be staged using as many environmentally preferable measures as possible. Environmentally preferable means products or services that have a lesser or reduced effect on the environment when compared with competing products or services that serve the same purpose.
- (b) As a potential meeting or conference provider for EPA, we require information about environmentally preferable features and practices your facility will have in place for the EPA event described in the solicitation.
- (c) The following list is provided to assist you in identifying environmentally preferable measures and practices used by your facility. More information about EPA's Green Meetings initiative may be found on the Internet at http://www.epa.gov/oppt/greenmeetings/. Information about EPA voluntary partnerships may be found at http://www.epa.gov/partners/index.htm.
 - (1) Do you have a recycling program? If so, please describe.
 - (2) Do you have a linen/towel reuse option that is communicated to guests?
 - (3) Do guests have easy access to public transportation or shuttle services at your facility?
 - (4) Are lights and air conditioning turned off when rooms are not in use? If so, how do you ensure this?
 - (5) Do you provide bulk dispensers or reusable containers for beverages, food and condiments?
 - (6) Do you provide reusable serving utensils, napkins and tablecloths when food and beverages are served?
 - (7) Do you have an energy efficiency program? Please describe.
 - (8) Do you have a water conservation program? Please describe.
 - (9) Does your facility provide guests with paperless check-in & check-out?
 - (10) Does your facility use recycled or recyclable products? Please describe.
 - (11) Do you source food from local growers or take into account the growing practices of farmers that provide the food? Please describe.
 - (12) Do you use biobased or biodegradable products, including bio-based cafeteria ware? Please describe.
 - (13) Do you provide training to your employees on these green initiatives? Please describe.
 - (14) What other environmental initiatives have you undertaken, including any environment-related certifications you possess, EPA voluntary partnerships in which you participate, support of a green supplier network, or other initiatives? Include "Green Meeting"

information in your quotation so that we may consider environmental preferability in selection of our meeting venue.

QUALITY ASSURANCE

Performance under this Task Order requires the contractor to prepare a Quality Assurance Project Plan (QAPP) to be included as part of the task order. The contractor shall submit a QAPP in accordance with EPA Requirements for Quality Assurance Project Plans (QA/R-5) found here:

http://www.epa.gov/QUALITY/qs-docs/r5-final.pdf. The contractor's QAPP must be approved by the TOCOR and Quality Assurance Manager. Following approval of the contractor's QAPP, the contractor shall perform all tasks under this task order in accordance with the quality standards established in the QAPP.

SURVEY MANAGEMENT

Performance under this Task Order requires the contractor to create statistical surveys, perform data collection, use questionnaires, or perform statistical analysis of survey data. The contractor shall perform these tasks in accordance with the *EPA Survey Management Handbook* found here: http://www.epa.gov/oamcinc1/0710295/attach12.pdf.

CONFIDENTIAL BUSINESS INFORMATION (CBI)

It may be necessary for the contractor to be granted access to and review confidential business information (CBI) and/or trade secret information during performance under this Task Order. If access to CBI or trade secret information is granted by the TOCOR or Alternate TOCOR, the contractor must ensure that all such information is handled in accordance with applicable federal regulations and policies, and returned to EPA or appropriately disposed of at the conclusion of the specific tasking involving CBI or trade secret access.